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July 3, 2002

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To: Community Care for the Aged and Disabled (CCAD)  
Day Activity and Health Services (DAHS) Providers

Subject: Long Term Care (LTC)  
Information Letter No. 02-16  
Children Receiving DAHS in a Licensed Adult Day Care Facility

According to the Texas Department of Human Services (DHS) rule, 40 Texas Administrative Code (TAC) § 48.2906 (b), an age limit does not apply to clients in the Day Activity and Health Services (DAHS) program. However, Adult Day Care (ADC) Facilities are only licensed to provide services to persons over the age of 18. Therefore, a person under the age of 18 (a child) cannot receive DAHS in an ADC.

The DHS State Office has identified 11 children currently receiving DAHS in an ADC. The children are still eligible for DAHS so they will need to receive DAHS, or comparable services, in another setting. The needs of these 11 children will be addressed on a case-by-case basis. DAHS facilities are to continue serving these clients until further direction is received from the individual caseworker for each client.

Any contracted DAHS facility with children in attendance must report these children to the DHS caseworker immediately. This will ensure that no children attending DAHS facilities have been overlooked.

Effective immediately, any person who expresses an interest in DAHS for a person under the age of 18 should be referred to the appropriate CCAD Intake location. In addition, DAHS facilities should not process facility-initiated referrals for potential clients under the age of 18. Any request for DAHS for a person under 18 will be addressed on a case-by-case basis by DHS.

An electronic version of this letter, as well as past Community Care Information Letters can be accessed at

<http://www.dhs.state.tx.us/programs/communitycare/infoletters/index.html>.

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Please contact Sarah Hambrick at (512) 438-2578 if you have any further questions regarding this information.

Sincerely,

*Signature on file*

Becky Beechinor  
Assistant Deputy Commissioner  
Long Term Care Services

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